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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

3:21-cr-00358-IM

v.

**MOTION FOR COMPLEX CASE
DESIGNATION**

RIGOBERTO MONROY-ANGEL, et al.,

Defendants.

The United States of America, by and through Scott Erik Asphaug, Acting United States Attorney for the District of Oregon, and Paul T. Maloney, Assistant United States Attorney, hereby moves the Court for a complex case designation pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii). Counsel for the government has advised all appointed counsel of this motion and no objections have been raised.

I. PROCEDURAL BACKGROUND

On September 15, 2021, a federal grand jury returned a one count indictment charging twelve (12) defendants with a drug-related crime including: (1) Conspiracy to Possess with Intent to Distribute and Distribute Controlled Substances, to Use a Communication Facility and

to Maintain Drug-Involved Premises, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(i), 841(b)(1)(A)(vi), 841(b)(1)(A)(viii), (b)(1)(B)(ii)(II); 843(b); 846 and 856(a).

The government's investigation includes interception of wire and electronic communications for 18 different lines, analysis of voluminous phone records, geolocation data, video surveillance and other materials. The investigation is a months long DEA investigation of a Mexico-based drug trafficking organization operating in the Portland Oregon area. In addition to the defendants charged herein, this case is related to at least four other pending indictments: *United States v. Avila Suarez* (3: 21-cr-000052-IM), *United States v. Diaz-Lopez and Barahona Rodas* (3:21-cr-00104-IM), *United States v. FNU LNU, (AKA "Padrino") et al.* (3:21-cr-173-IM), and *United States v. Gomez-Resendiz et al.* (3:21-cr-00077-IM).

II. ANALYSIS

A. Discovery

Given the number of defendants and the substantial discovery, it would be unreasonable to expect adequate preparation for pretrial proceedings and trial within the usual time limits set forth in the Speedy Trial Act, 18 U.S.C. 3161, *et seq.*

The discovery in this case shares discovery from in other pending cases described above. In 3:21-cr-173-IM the Court has granted the government's motion to complex case designation. That matter is currently set for trial to begin January 18, 2022. Although there are common facts between the two cases, at this time, the government does not intend to join these cases for trial.

III. CONCLUSION

The government respectfully requests that the Court declare this a complex case and make an express finding under 18 U.S.C. § 3161(h)(7)(B)(ii) that the ends of justice is served by

the granting of such continuance outweigh the best interests of the public and the defendant[s] in a speedy trial.

Dated: November 3, 2021

Respectfully submitted,

SCOTT ERIK ASPHAUG
Acting United States Attorney

/s/ Paul T. Maloney
PAUL T. MALONEY, OSB#013366
Assistant United States Attorney